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**PATENT**

Case Docket No. MIND.002A

Date: June 30, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Bodner, et al.

App. No. : 10/675,232

Filed : September 29, 2003

For : SYSTEM AND METHOD FOR  
ANALYSIS AND FEEDBACK  
OF STUDENT  
PERFORMANCE

Group Art Unit : 3713

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

June 30, 2004

(Date)

*David K. Wiggins*  
David K. Wiggins, Reg. No. 54,538

**TRANSMITTAL LETTER**

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Dear Sir:

Enclosed for filing are:

- (X) A Power of Attorney Form and Copy of Assignment.
- (X) Return prepaid postcard.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.

*David K. Wiggins*

David K. Wiggins  
Registration No. 54,538  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

MIND.002A



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bodner, et al. )  
App. No. : 10/675,232 )  
Filed : September 29, 2003 )  
For : **SYSTEM AND METHOD FOR** )  
**ANALYSIS AND FEEDBACK OF** )  
**STUDENT PERFORMANCE** )  
Examiner : Unassigned )

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ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer**


App. No. : 10~~67~~5,232  
Filed : September 29, 2003

No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

M.I.N.D. Institute

Dated: 6/2/04

By:   
Mark Bodner

Title: President, Research Division

Address: M.I.N.D. INSTITUTE  
1503 South Coast Drive  
Suite 202  
Costa Mesa, CA 92626

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**ASSIGNMENT**

WHEREAS, We, Mark Bodner, a United States citizen, residing at 336 Maui Drive, Placentia, CA 92870; Gordon L. Shaw, a United States citizen, residing at 1918 Temple Hills Drive, Laguna Beach, CA 92651; and Matthew R. Peterson, a United States citizen, residing at 435 Gooding Way, Apt #453, Albany, CA 94706, have invented certain new and useful improvements in a SYSTEM AND METHOD FOR ANALYSIS AND FEEDBACK OF STUDENT PERFORMANCE for which we have filed an application for Letters Patent in the United States, Application No. 10/675,232, Filing Date September 29, 2003;

AND WHEREAS, M.I.N.D. INSTITUTE (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 1503 South Coast Drive, Suite 202, Costa Mesa, CA 92626, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, his successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, his successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, his successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, his successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 25 day of May, 2004

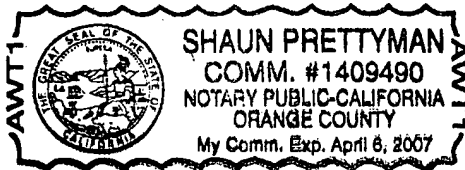
Mark Bodner  
Mark Bodner

STATE OF CALIFORNIA }  
COUNTY OF ORANGE } ss.

On MAY 25 2004, before me, SHAUN PRETTYMAN, personally appeared Mark Bodner personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



[Signature]  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 25 day of May, 2004

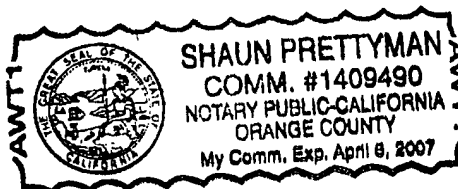
Gordon L. Shaw  
Gordon L. Shaw

STATE OF CALIFORNIA }  
COUNTY OF ORANGE } ss.

On MAY 25<sup>TH</sup> 2004, before me, SHAUN PRETTYMAN, personally appeared Gordon L. Shaw personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



[Signature]  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 25 day of May, 2004

Matthew R. Peterson  
Matthew R. Peterson

STATE OF CALIFORNIA }  
COUNTY OF ORANGE } ss.

On MAY 25<sup>TH</sup> 2004, before me, SHAUN PRETTYMAN, personally appeared Matthew R. Peterson personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Shaun Prettyman  
Notary Signature

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